

REMARKS

In the Office Action dated September 10, 2004, claims 1-20 were pending. Claims 1-20 were rejected under 103(a). In this response, no claim has been cancelled. Claims 1-15 and 19-20 have been amended. In addition, new claims 21-27 have been added. Thus, claims 1-27 remain pending. No new matter has been added. Reconsideration of this application as amended is respectfully requested.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U.S. Patent No. 5,666,481 ("Lewis") in view of Yemini et al., U.S. Patent No. 6,249,755 (Yemini").

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). (Manual of Patent Examining Procedure (MPEP) ¶ 2143.03).

Applicants submit that claims 1-27 of the present application include limitations not disclosed or taught by Lewis in view of Yemini. As a result, claims 1-27 are patentable over Lewis in view of Yemini. Specifically, independent claim 1 recites as follows:

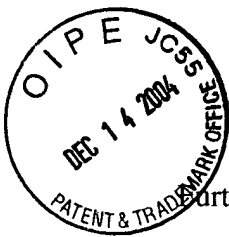
1. A method, comprising:
identifying one or more behavioral properties based on measured behavioral data in a computer system, each behavioral property including a behavioral description describing the respective behavioral property and a value representing a degree of relevancy of the respective behavioral property with respect to the measured behavioral data;
generating an analysis based on the one or more behavioral properties, the analysis including an analysis description indicating a result expected to happen based on a combination of the identified behavioral properties;
and
determining an advice associated with the analysis, the advice suggesting what should be done in response to the expected result described by the analysis.

(Emphasis added)

Independent claim 1 includes identifying significant behavioral properties having descriptions, generating an analysis associated with the behavioral properties, where the analysis includes an analysis description indicating a result (e.g., a problem) expected to happen based on a combination of the behavioral properties. Thereafter, advice is generated using in part the behavioral and analysis descriptions, such that a user is provided easily understandable textual explanation and advice. It is respectfully submitted that the above limitations are absent from the cited references.

Rather, Lewis is related to a method of resolving faults in a communications network using trouble tickets. The trouble ticket of Lewis appears to be a data structure that does not include a textual description (see, Abstract of Lewis). Particularly, Lewis fails to disclose determining an analysis based on multiple behavioral properties and each behavioral property includes a description for describing the respective behavioral property. The analysis also includes a description (based on the behavioral textual description) describing a problem expected to happen, where the advice is generated based on the behavioral and insight textual descriptions.

Similarly, although Yemini discloses a method for determining the source of a problem using a data structure, where the source of the problem is identified by executing computer code using the data structure (see, Abstract of Yemini). It is respectfully submitted that Yemini also fails to disclose or suggest the limitations set forth above. Both Lewis and Yemini are related to problem solving of a computer network and none of these references is related to monitoring performance within a data processing system. The cited references and the present invention as claimed are solving significantly different problems and their approaches are significantly different.



Furthermore, there is no suggestion within the cited references to combine Lewis with Yemini. Even if they were combined, such a combination still lacks the limitations set forth above. Therefore, for the reasons discussed above, it is respectfully submitted that independent claim 1 is patentable over Lewis in view of Yemini.

Similarly, independent claims 8 and 15 include limitations similar to those discussed above. Thus, for the reasons similar to those discussed above, it is respectfully submitted that claims 8 and 15 are also patentable over Lewis in view of Yemini.

Given that the rest of the claims depend from one of the above independent claims, for the reasons similar to those discussed above, it is respectfully submitted that the rest of the claims are also patentable over Lewis in view of Yemini. Withdrawal of the rejections is respectfully requested.

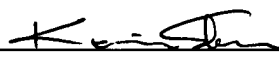
In view of the foregoing, Applicants respectfully submit the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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Date: 12/10/2004


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